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REPLY COMMENT COVER

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AUG 27 1999
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In The Matter of)
Creation of a Low) MM Docket No. 99-25
Power Radio Service)

Reply Comments Of:)
Mr. Ronnie V. Miller)
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After reading the NAB web site information concerning their comments in the matter of LPFM I feel it is important to file a few brief reply comments.

1. It is obvious that the NAB has no intention of complying with Chairman Kennard's request for broadcasters to "work with the Commission" to find a way to establish a new Low Power FM broadcasting service. On the contrary, using all their vast financial and manpower resources, the NAB has produced a huge report opposing the creation of any LPFM broadcast service. One can easily see where the Commission could become bogged down for a long time digging through all the

specifics of their report. One might even conclude that this could be one purpose of such a lengthy comment package... another delay tactic.

2. In order to save time, let us paraphrase the voluminous and detailed comments of the NAB as follows:

"There is no room for anyone but us."

3. One cannot help but wonder if they would be so opposed to LPFM if their members were not exempt from involvement in the proposed new service.

4. The results of interference testing paid for by the NAB is so obviously slanted that they are practically useless in helping to determining REALISTIC interference concerns. Some specific points are:

- The data showing the number of listeners who possibly could receive interference if 2nd and 3rd adjacent channel protection standards were relaxed was generated not on realistic assumptions but rather using absurdly unrealistic worst possible cases. Specifically:
- The study assumes the very maximum number of LPFM stations would be in operation in all the markets at the same time. (For example, the data indicated forty-two LP-100 stations in the San Antonio, Texas market! The possibility that 42 individual LP-100 stations might ever be set up in the San Antonio, Texas market is extremely

unlikely, and certainly not all at the same time!) Further, the study assumes that all listeners were using the worst receivers ["personal" and "portable-types"] all at the same time; another totally unrealistic assumption.

- The study apparently gave no consideration to the amount of time listeners use their car radios (which performed better in their tests) verses the personal/portable radios. It's common knowledge that morning and afternoon "drive times" have long been when most people listen to radio.
- In the summary released to the public on the NAB web site, I did not see where any consideration was given to the suggestion by the FCC to place tighter bandwidth limits on LPFM stations. I assume the tests were done using current +/- 75 KHZ deviation for the LPFM signal. Tighter LPFM limits could have a great impact on the results when testing poorly designed receivers.

5. In summary, the report was obviously structured to make the number of listeners who may receive interference as dramatic as possible.

6. More importantly, it is absurd to expect the Commission to refrain from introducing any new radio services because of interference possibilities on the most poorly designed receivers in use! If we follow this type of logic to rule out the feasibility of LPFM, then IBOC digital radio is surely much more impractical! I doubt

that the NAB will want anyone to run tests on the same receivers to determine how many people will receive interference when strong digital sidebands occupy the 1st and 2nd adjacent channel spectrum next to existing analog signals!

7. It simply isn't logical to hold back the advance of technology or services (such as LPFM) because of the existence of cheap, inferior radios.

8. Another issue which continues to be ignored by the NAB is that LPFM can exist in many rural and sparsely populated areas without even the necessity for relaxing current 2nd and 3rd adjacent channel protection limits. In Texas alone, this means thousands of small communities and rural areas. LPFM can operate in many of these areas without any interference concerns at all! (It has always been my assertion that low power, short range broadcasting will be most useful to the public in these outlying areas anyway.) The NAB is willing to prevent public access to the potential benefits of an LPFM service based on the argument of worst possible case data in cities of 50,000 and more population! There is no logical reason to prevent LPFM from serving the smaller communities simply because operation in cities such as Chicago, Los Angeles, New York, etc. might be limited.

9. The NAB is ignoring the main point. The idea is to allow new uses for radio in ways that are not met (cannot be met) by existing broadcasters! Surely this is much more important than the NAB's

perception of "interference" on receivers designed only to pick up BLOWTORCH signals spaced a minimum of 3 or 4 channels apart.

10. It is even possible that LPFM (and relaxed 2nd and 3rd adjacent channel standards) may be the catalyst for receiver manufacturers to begin marketing better designed radios.

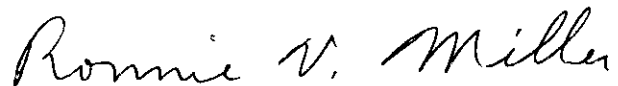
11. Further, the NAB seems to actually be playing politics by inferring that, since some of the Commissioners have stated they would oppose the creation of LPFM "if it would cause (any) interference to existing broadcasters (anywhere)" [and the NAB study was obviously designed to so emphasize], therefore those Commissioners must now stand by their word and vote against LPFM. It speaks very poorly of a group as powerful as the NAB to resort to such tactics!

12. The inevitable conclusion is that despite the formidable outlay of money and time, the NAB has not been able to come up with any real or substantial reason not to introduce Low Power Broadcasting in some form. Rather, they will resort to any method or argument available to restrict competition and protect their interests!

13. The Federal Communications Commission exists to protect the interest of the public at large. I trust that each of the Commissioners, when they look at all the evidence, will see that the benefits of a Low Power FM broadcast service are far more important than protecting existing broadcasters from any possible threat of competition.

14. There are many law-abiding citizens in the USA who see the need for, and usefulness of some type of low power, low cost radio broadcast service. These citizens however, rather than break the laws of the FCC by operating a "pirate" station, choose to work with the Commission and use the established systems for effecting changes to the rules and laws, so that low power radio can realize it's best and full potential. I am a member of this group. We have been patiently working and waiting for many years for these changes to become reality. We trust that the Commission will not turn it's back on us at this point in the process. With the potential benefits at stake, I urge the Commission to adopt the creation of an LPFM radio service at the earliest possible date.

Respectfully,

A handwritten signature in cursive script that reads "Ronnie V. Miller".

Ronnie V. Miller

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